

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S3/4/97

A Bill

HOUSE BILL 1676

4
5 By: Representative Hunton
6 By: Senator Hill

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-46-101 TO AUTHORIZE
10 MUNICIPAL CLERKS AND RECORDERS TO DESTROY ORIGINAL
11 DOCUMENTS ONCE RECORDED BY PHOTOGRAPHIC, PHOTOSTATIC,
12 MICROFILM, MICROCARD, OPTICAL DISC OR OTHER PROCESS WHICH
13 ACCURATELY FORMS A DURABLE MEDIUM FOR REPRODUCING THE
14 ORIGINAL; AND FOR OTHER PURPOSES."

Subtitle

17 "TO AUTHORIZE MUNICIPAL CLERKS AND
18 RECORDERS TO DESTROY ORIGINAL DOCUMENTS
19 ONCE RECORDED BY A PROCESS WHICH
20 ACCURATELY FORMS A DURABLE MEDIUM FOR
21 REPRODUCING THE ORIGINAL."

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code 16-46-101 (a)(2) is amended to read as
26 follows:

27 "(A) The county recorders, municipal clerks and recorders, clerks of
28 courts of record, and any public officer whose duty it is to make public
29 records are authorized to use and employ an approved system of photographic
30 recording, photostatic recording, microfilm, microcard, miniature photographic
31 recording, optical disc, or other process which accurately reproduces or forms
32 a durable medium for reproducing the original when provided with equipment
33 necessary for such method of recording.

34 (B) *When any document is recorded by the means prescribed by*
35 *subdivision (a)(2)(A) of this section, the original may be destroyed unless*
36 *the document is over fifty (50) years old and handwritten or its preservation*

1 is otherwise required by law.

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3 SECTION 2. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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/s/Hunton

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